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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Arturo Osiel Valencia Barrera,

10 Plaintiff,

11 v.

12 Honor Health Emergency Center - Deer
13 Valley,

14 Defendant.

No. CV-21-01658-PHX-CDB

ORDER

15 This matter was referred to Magistrate Judge Camille D. Bibles for a Report and
16 Recommendation. (Doc. 3.) On October 5, 2021, the Magistrate Judge filed a Report and
17 Recommendation with this Court. (Doc. 7.) To date, no objections have been filed.

18 **STANDARD OF REVIEW**

19 The Court “may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v.
21 Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the
22 service of a copy of the Magistrate’s recommendation within which to file specific
23 written objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to
24 object to a Magistrate Judge’s recommendation relieves the Court of conducting *de novo*
25 review of the Magistrate Judge’s factual findings and waives all objections to those
26 findings on appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to
27 object to a Magistrate Judge’s conclusion “is a factor to be weighed in considering the
28 propriety of finding waiver of an issue on appeal.” Id.

1 **DISCUSSION**

2 Having reviewed the Report and Recommendation of the Magistrate Judge, and no
3 Objections having been made by any party thereto, the Court hereby incorporates and
4 adopts the Magistrate Judge's Report and Recommendation.

5 **CONCLUSION**

6 Accordingly, for the reasons set forth,

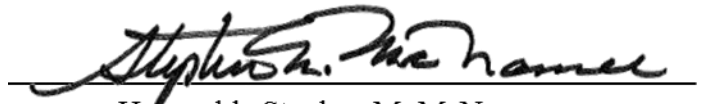
7 **IT IS HEREBY ORDERED adopting** the Report and Recommendation of the
8 Magistrate Judge. (Doc. 7.)

9 **IT IS HEREBY ORDERED dismissing with prejudice** Plaintiff's complaint for
10 failure to allege subject matter jurisdiction.

11 **IT IS FURTHER ORDERED denying as moot** Plaintiff's Motion for Leave to
12 Proceed in Forma Pauperis (Doc. 2), Motion to Allow Electronic Filing by a Party
13 Appearing Without an Attorney (Doc. 5.), and Motion for Service by the United States
14 Marshall (Doc. 6).

15 **IT IS FURTHER ORDERED directing** the Clerk of Court to close this matter.

16 Dated this 20th day of October, 2021.

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19 Honorable Stephen M. McNamee
20 Senior United States District Judge
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